

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HERMÈS INTERNATIONAL and
HERMÈS OF PARIS, INC.,

Plaintiffs,

v.

MASON ROTHCHILD,

Defendant.

No. 22-cv-00384-JSR

**REPLY DECLARATION OF
MASON ROTHCHILD**

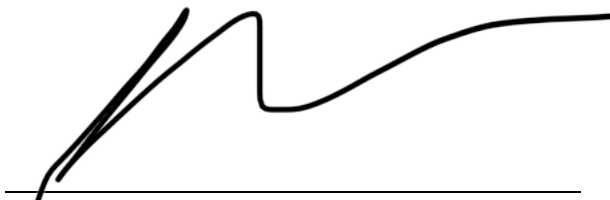
I, MASON ROTHCHILD, hereby declare as follows:

1. I am an artist, entrepreneur, business owner, and the defendant-appellant in this case.
2. I submit this declaration based on my personal knowledge of the facts and statements contained herein.
3. As I previously stated in my declaration dated January 25, 2024, I have no relationship with Dr. Blake Gopnik aside from engaging him to serve as an expert in this case, which I did through my counsel at Lex Lumina, and they handled all communications with Dr. Gopnik pertaining to the engagement. I have never communicated with Dr. Gopnik directly or indirectly, through counsel or anyone else, about any exhibition at the Spritmuseum or anywhere else. The only communications I have ever had with Dr. Gopnik, directly or indirectly, were my counsel's communications with him in engaging him as an expert in this case and a passing hello when we crossed paths in person during preparation for trial.

4. The Spritmuseum has not asked for my permission to use *MetaBirkins* images in any promotional materials or in merchandise, and I would not give such permission to the museum. The museum has asked only for my permission to display some of the *MetaBirkins* artworks, alongside artworks by other artists, with exhibit text explaining that Hermès is not affiliated with *MetaBirkins* and in fact sued me over *MetaBirkins*. The museum has not provided a draft of the text that would accompany the exhibition.

5. I declare under penalty of perjury that the foregoing is accurate to the best of my knowledge.

Dated: February 7, 2024
Los Angeles, California



Mason Aston p/k/a Mason Rothschild